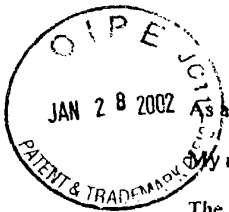


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ORIGINALLY FILED

Attorney Docket No.: 119927-1050

PATENT



**DECLARATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

The below named inventors are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled REGULATABLE, CATALYTICALLY ACTIVE NUCLEIC ACIDS, the Specification of which:

is attached hereto.

X was filed, on June 14, 2001.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN APPLICATION(S)**

Priority

CLAIMED

Yes/No

(Number) (Country) (Date Filed)

Yes/No

(Number) (Country) (Date Filed)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Provisional Application Serial No.: 60/212,097 Filed on June 15, 2000

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:



[illegible]

Attorney Docket No.: 119927-1050

# PATENT

Inventor's Full Name: Jay Hesselberth

**Inventor's Signature:** \_\_\_\_\_

Date: 10-15-01 Country of Citizenship: US

**Residence Address:** \_\_\_\_\_ **City:** Austin **State:** Texas

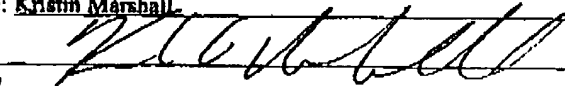
Post Office Address: 4508 Avenue C

(if different from Austin, Texas)

residence address) 78751

Attorney Docket No.: 119927-1050

PATENT

Inventor's Full Name: Kristin MarshallInventor's Signature: Date: 10/16/01 Country of Citizenship: USResidence Address: City: ~~Austin~~ <sup>Cambridge</sup> State: ~~Texas~~ <sup>MA</sup>Post Office Address: ~~120 Aberdeen Avenue~~ <sup>Aberdeen</sup>(if different from Cambridge, MAresidence address) 02138



Attorney Docket No.: 119927-1050

PATENT


Inventor's Full Name: Letha SooterInventor's Signature: *Letha Sooter*Date: 15 Oct 01 Country of Citizenship: USResidence Address: \_\_\_\_\_ City: Austin State: TexasPost Office Address: 800 W. 38th Street

(if different from Austin, Texas

residence address) 78705

Attorney Docket No.: 119927-1050

PATENT

Inventor's Full Name: Eric DavidsonInventor's Signature: Date: 10/16/01 Country of Citizenship: USResidence Address: \_\_\_\_\_ City: Austin State: TexasPost Office Address: ~~2204 San Gabriel #204~~ 1003 Justin Ln #2068

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residence address) 78705 78757





Attorney Docket No.: 119927-1090

PATENT

Inventor's Full Name: Timothy Riedel

Inventor's Signature: Timothy C. Riedel

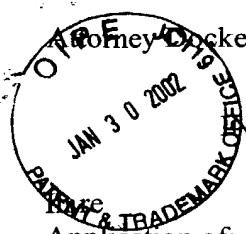
Date: Oct. 16<sup>th</sup>, 2001 Country of Citizenship: US

Residence Address: \_\_\_\_\_ City: Austin State: Texas

Post Office Address: 4280 Purgatory Road

(if different from residence address) New Braunfels, Texas  
78132

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Andrew D. Ellington, et al.

Serial No. 09/883,119  
Filed: June 14, 2001

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Examiner: Not Yet Known  
Group Art Unit: Not Yet Known  
Attorney Docket No.: 119927-1050

ENTITLED: **REGULATABLE, CATALYTICALLY ACTIVE NUCLEIC ACIDS**

**ELECTION UNDER 37 C.F.R. §§ 3.71 and 3.73  
AND POWER OF ATTORNEY**

**BOX: ASSIGNMENT**  
Commissioner for Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

The Assignee hereby revokes any previous Powers of Attorney and appoints Matthew E. Burr, Reg. No. 37,591; Daniel J. Chalker, Reg. No. 40,552; Michael L. Coblenz; Reg. No. 41,492; Kenneth T. Emanuelson, Reg. No. 46,684; Edwin S. Flores, Reg. No. 38,453; Kenneth R. Glaser, Reg. No. 24,015; John Timothy Headley, Reg. No. 31,765; Todd E. Landis, Reg. No. 44,200; Michael E. Martin, Reg. No. 24,821; Carol M. Nielsen, Reg. No. 37,676; Ari O. Pramudji, Reg. No. 45,022; Kay Lyn Schwartz, Reg. No. 39,020; Theodore F. Shiells, Reg. No. 31,569; Jennifer S. Sickler, Reg. No. 36,005; Sanford E. Warren, Jr., Reg. No. 33,219; Lawrence R. Watson, Reg. No. 31,891; Thomas C. Wright, Reg. No. 47,189; each an attorney or agent of the firm of GARDERE WYNNE SEWELL LLP, as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Board of Regents, The University of Texas System, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Edwin S. Flores, Esq.  
GARDERE WYNNE SEWELL LLP  
3000 Thanksgiving Tower  
1601 Elm Street  
Dallas, Texas 75201-4761

ASSIGNEE:

BOARD OF REGENTS,  
THE UNIVERSITY OF TEXAS SYSTEM

By:

Name: Cullen M. Godfrey  
Title: Vice Chancellor  
and General Counsel

Date: October 24, 2001

### ASSIGNMENT:

X Concurrently filed  
 — Previously recorded  
 Date:  
 Reel:  
 Frame: